

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia
Statesboro Division

United States of America
v.

Donald Whitehead

Date of Previous Judgment: December 7, 2005
(Use Date of Last Amended Judgment if Applicable)

) Case No: CR605-00009-001

) USM No: 12275-021

) Jay Stewart

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ **DENIED.** ☐ **GRANTED** and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 29

Amended Offense Level: 29

Criminal History Category: VI

Criminal History Category: VI

Previous Guideline Range: 151 to 188 months

Amended Guideline Range: 151 to 188 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

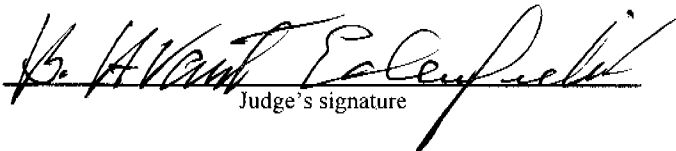
III. ADDITIONAL COMMENTS

The Court notes that this defendant is a career offender, pursuant to U.S.S.G. § 4B1.1. The amendment to the crack cocaine guideline does not impact this defendant's guideline computations for that reason.

Except as provided above, all provisions of the judgment dated _____ shall remain in effect.

IT IS SO ORDERED.

Order Date: 9-9-2008


Judge's signature

Effective Date: _____
(if different from order date)

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia
Printed name and title